

THE BARTONVILLE TOWN COUNCIL REGULAR MEETING HELD ON THE 15th DAY OF MARCH 2022, AT 1941 E. JETER ROAD, BARTONVILLE, TEXAS 6:30 P.M.

The Town Council met in a regular meeting with the following members present:

Bill Scherer, Mayor
Jaclyn Carrington, Mayor Pro Tem
Jim Roberts, Councilmember Place 1
Clay Sams, Councilmember Place 3
Josh Phillips, Councilmember Place 5

with the following member absent: Bridget Melson, Councilmember Place 4

constituting a quorum with the following members of the Town Staff participating Cori Reaume, Interim Town Administrator; Tammy Dixon, Town Secretary; Bobby Dowell, Chief of Police; Ed Voss, Town Attorney; and Eric Wilhite, Town Planner.

A. CALL REGULAR MEETING TO ORDER

Mayor Scherer called the regular meeting to order at 6:30 p.m.

B./C. CLOSED/OPEN SESSION

The Town Council convened into a closed meeting at 6:31 p.m. pursuant to Texas Government Code Chapter 551, Sections 551.071 and 551.074 and reconvened into open session at 7:04 p.m. to discuss matters relating to consultation with Town Attorney and personnel as follows:

- a. Consultation with Town Attorney regarding legal issues related to the Texas Open Meetings Act, land development matters, and municipal election matters.
No Action Taken.
- b. Consultation with Town Attorney regarding legal issues related to the enforcement of Conditional Use Permits.
No Action Taken.
- c. Deliberate and consider the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officers or employees; to wit: Town Administrator.
No Action Taken.

D. PLEDGE OF ALLEGIANCE

Mayor Scherer led the pledge of allegiance.

Mayor Scherer recognized and presented a proclamation to *First Lieutenant* Brianna Sirks proclaiming February 25, 2022, as "First Lieutenant Brianna Sirks Naval Aviator Day."

Mayor Scherer introduced new police officer Arthur Wilder and administered his Oath of Office.

E. PUBLIC PARTICIPATION

There were none.

F. APPOINTED REPRESENTATIVE/LIAISON REPORTS

1. Denton County Emergency Services District #1

Mr. Strange distributed and reviewed a report of the District's January meeting which included comparisons of incident type and response times. Mr. Strange stated February was Heart Health Awareness Month and provided the Town Council with statistical information. He further stated Chief Mac was retiring and the district was in the process of recruiting a new Chief.

2. Police Chief Report - Department Statistics/Activities for February 2022

Chief Dowell distributed and reviewed the statistics for February and provided the monthly Flock Camera reads. Chief Dowell announced the Police Department was planning a blood drive to be held on May 28, 2022, at the Bartonville Store Parking Lot.

3. Interim Town Administrator – Monthly Reports February 2022: Financial Statement; Animal Control; Engineering; Code Enforcement; Permits; Municipal Court

Ms. Reaume presented an overview the February Financial Report noting Property Tax collections were at 95% of the budgeted amount; Development Fees were at 87% of budgeted revenue and Permits were at approximately 56%. She noted that all Expenditures continued to be at or below budget.

Ms. Reaume announced Spring Clean Up Day would be held Saturday, April 9, from 8 – 11 a.m.

G. CONSENT AGENDA

Mayor Pro Tem Carrington moved to approve consent items 1-3. Councilmember Roberts seconded the motion. The items, as approved by consent, are restated below along with the approved recommendations, for the record.

1. Consider approval of the February 15, 2022, regular meeting minutes.

RECOMMENDATION: Approve the February 15, 2022, regular meeting minutes.

2. Consider approval of the February 21, 2022, special meeting minutes.

RECOMMENDATION: Approve the February 21, 2022, special meeting minutes.

3. Consider approval of the March 3, 2022, special meeting minutes.

RECOMMENDATION: Approve the March 3, 2022, special meeting minutes.

VOTE ON THE MOTION

AYES: Roberts, Carrington, Sams, Phillips
NAYS: None
ABSENT: Melson
VOTE: 4/0/1

H. REGULAR ITEMS

4. *Public Hearing – New & Unlisted Use: Automated Car Wash*
 Public hearing to consider an ordinance amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit A, Zoning ordinance related to a new and unlisted use for automated car washes. The proposed amendment may add, remove, or change definitions and amend the Land Use Table to indicate zoning districts where permitted.
The Planning and Zoning Commission recommended denial by a vote of 5-0 at its March 2, 2022, meeting.

Ms. Reaume stated an application was received from A-S 114 Lantana TC Phase 2, L.P. requesting the Town consider the addition of an unlisted land use for an automated car wash as follows:

Car Wash, Automatic: A facility designed and used for the primary purpose of washing and cleaning passenger automobiles in which all tasks are performed by mechanical means, and the automobile is typically driven through the facility by the automobile operator. Self-service vacuum stations may also be located on the property.

She explained after careful consideration of the Town's zoning districts, staff recommended the addition of this use, only by conditional use permit, in the General Commercial zoning district.

She further stated the Planning & Zoning Commission held the preliminary public hearing on this item on March 2, 2022 and no public comment was received. The Commission voted unanimously to recommend denial of the addition of automated car wash to the land use table.

Applicant Michael Harney, of NewQuest, stated this was for full-service station and there would be no self-washing bays.

Mayor Scherer opened the public hearing at 7:36 p.m. No one spoke in favor or opposition.

Mayor Scherer closed the public hearing at 7:36 p.m.

The Town Council convened into a closed meeting at 7:39 p.m. pursuant to Texas Government Code Chapter 551, Section 551.071 to consult with the Town Attorney and reconvened at 7:50 p.m.

Councilmember Roberts moved to deny the request to amend the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit A, Zoning ordinance related to a new and unlisted use for automated car washes. Councilmember Sams seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Carrington, Sams, Phillips
NAYS: None
ABSENT: Melson
VOTE: 4/0/1

5. *Site Plan Amendment – A-S 114 Lantana Town Center Phase 2, LP*
 Public hearing to consider a Site Plan for a 11,200 sq ft retail building, being part of a 10.821-acre tract of land described as Lantana Town Center Phase II Blk 1 Lot 1, generally located on the north side of FM 407, more commonly known as 3701 FM 407 E, Bartonville, TX.

Ms. Reaume stated the site plan application was for the construction of a new 11,200 sq ft retail “shell” building intended to be split into several different retail uses, consistent with neighborhood services and the land use table for the General Commercial district. She explained the building would be located between the existing retail center and Dutch Bros. that was currently under construction.

Applicant Michael Harney, of NewQuest, stated the site plan was for a 11,200 sf multi-tenant building.

Mayor Scherer opened the public hearing at 8:00 p.m. No one spoke in favor or opposition.

Mayor Scherer closed the public hearing at 8:00 p.m.

Mayor Pro Tem Carrington moved to a Site Plan for a 11,200 sq ft retail building, being part of a 10.821-acre tract of land described as Lantana Town Center Phase II Blk 1 Lot 1. Councilmember Sams seconded the motion.

VOTE ON THE MOTION

AYES: Roberts, Carrington, Sams, Phillips
NAYS: None
ABSENT: Melson
VOTE: 4/0/1

6. Discuss and provide direction regarding safety concerns related to a tree located within the Town’s right-of-way.

Ms. Reaume stated at the February 15th Town Council meeting, staff brought forward resident concerns about the tree located in the street right-of-way at the intersection of Stonewood & Porter; and was directed staff to install signs near the tree to solicit feedback from residents about whether they would like to see the tree remain, or if there are concerns from the residents that should be considered.

She stated the Town received one (1) written comment to remove the tree and twenty-three (23) written comments to leave the tree.

The following spoke in support of keeping the tree:

- Barry Luckie, 303 Stonewood Blvd.
- Michael Cole, 505 Stonewood Blvd.
- Lisa Rasor, 335 Stonewood Blvd.
- Kevin LeQuire, 951 Ridgewood Circle

Following discussion, it was the consensus of the Town Council not to remove the tree. Staff was directed to provide options such as additional pavement for the road and maintenance plans.

- 7. Discussion on amending the Town of Bartonville Code of Ordinances, Chapter 14, Exhibit "A," Article 14.02, Ordinance 361-05, the Zoning regulations for the Town of Bartonville, by amending Division IV, Special Requirements, Chapter 20 Fencing, Walls, and Screening Requirements.

Ms. Reaume explained the Town adopted an ordinance requiring that fencing/walls along FM 407 be at least 50% transparent which prevents any solid wooden or masonry screening walls along the main corridor through town but does not extend to any other areas of town.

Mayor Scherer stated he requested this item be brought forward for discussion to consider adopting regulations similar for McMackin Road and other possibly other roads.

Following discussion, the consensus of the Town Council was to call for public hearings on this item for discussion and consideration in April.

- 8. Discuss and consider a request from Denton County to use Town Hall as an early voting polling location for the May 24, 2022, Primary Runoff Election.

Ms. Dixon stated Denton County Elections was scheduling polling locations for the 24, 2022, Primary Runoff Election, and requested to use the Bartonville Town Council Room as an Early Voting location. She explained Early Voting begins on May 16 and extends thru May 20, 2022, and the room would be off limits for any use during this time. She stated the only conflict would be the Tuesday, May 17, 2022, Town Council regular meeting. She advised an alternate location for this meeting could be the Lantana Community Church.

Councilmember Phillis moved to approve the request from Denton County to use the Town Council Room as an early voting location for the March 24, 2022, Primary Runoff Election Councilmember Sams seconded the motion.

VOTE ON THE MOTION

- AYES:** Roberts, Carrington, Sams, Phillips
- NAYS:** None
- ABSENT:** Melson
- VOTE:** 4/0/1

I. FUTURE ITEMS

Mayor Pro Tem Carrington requested an item be added to consider the installation of Flag Poles at the corner of McMakin and Jeter. Ms. Dixon advised that the Community Corporation was already considering this for a future project.

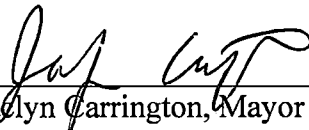
J. ADJOURNMENT

Mayor Scherer declared the meeting adjourned at 8:22 p.m.

APPROVED this the 19th day of April 2022.



Approved:


Jaelyn Carrington, Mayor Pro Tem

Attest:


Tammy Dixon, Town Secretary